Application No.: 10/509,169 Paper Dated: September 24, 2007 Attorney Docket No.: 0702-045255

REMARKS

Claims 1-8 were pending in this application. The Examiner has acknowledged that claims 4 and 7 would be allowable if rewritten to overcome the rejections of 35 U.S.C. § 112, second paragraph, addressed below, and to include all of the limitations of the base claim and any intervening claims. Accordingly, Applicants have amended claims 1 and 6 to overcome the indefinite rejections, have incorporated the limitations of allowable claim 4 into claim 1, and have added new claim 9 that includes the limitations of claim 1 and allowable claim 7 depending therefrom. Claims 4 and 7-8 have been cancelled. Applicants have added new claims 10-13 that depend from new claim 9 and correspond to claims 2-3 and 5-6, respectively. Claims 3 and 6 have been amended for antecedent basis purposes. Therefore, claims 1-3, 5-6 and 9-13 are now pending.

35 U.S.C. §112 Rejections

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Specifically, the Examiner states that claim 1 includes a phrase containing contradictory terms. Applicants have rewritten claim 1 to include the limitation of "...will transmit a signal only if and as long as...". The asserted indefiniteness of claim 6 has been addressed by rewriting claim 6 to include the limitation of "...wherein the transmitted signal comprises one of light and laser pulses." Applicants believe that the above amendments to claims 1 and 6 overcome the Examiner's indefiniteness rejections. Reconsideration of these rejections is respectfully requested.

35 U.S.C. §102 Rejections

Claims 1-3, 5-6, and 8 stand rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 6,728,605 to Lash et al. (incorrectly identified as the Straub patent in the Office Action).

Applicants have amended independent claim 1 to include the allowable subject matter of claim 4. Claims 2-3 and 5-6 depend from amended claim 1. New claim 9 has the limitations of claim 1 and allowable claim 7. Claims 10-13 depend from claim 9. Therefore, amended claim 1, new claim 9, and the respective claims depending therefrom define over the prior art and are in condition for allowance.

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CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1-3, 5-6 and 9-13 are respectfully requested.

Respectfully submitted,

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